

MINUTES

2

Los Angeles County
Metropolitan Transportation Authority

Regular Board Meeting
Board of Directors

One Gateway Plaza
3rd Floor Boardroom

Called to Order at 10:12 a.m.

Directors Present:

Frank Roberts, Chair
Gloria Molina, 2nd Vice Chair
Mike Antonovich
Yvonne B. Burke
John Fasana
Don Knabe
Tom LaBonge
Martin Ludlow
Pam O'Connor
Ed P. Reyes
Zev Yaroslavsky
Doug Failing, non-voting member

Officers

Roger Snoble, Chief Executive Officer
Michele Jackson, Board Secretary
Karen Gorman, Ethics Officer
William Waters, Inspector General
County Counsel, General Counsel



Metropolitan Transportation Authority

Metro

NOTE: Members voting are reflected on the attached "RECAP OF PROCEEDINGS" matrix.

1. APPROVED Consent Calendar Items: 2, 8, 10, 13, 14, 18, 19, 20A, 21, 28, 32, 36, 46, 47, 48, and 49.

Items 7, 11, 12, and 50 were removed from Consent Calendar.

NOTED **Committee Authority** Item 31.

2. APPROVED ON CONSENT CALENDAR **Minutes** of Regular Board meeting held March 24, 2005.

3. RECEIVED Chair's Report.

- Announced adjournment in memory of former L.A. County Supervisor Deane Dana.

4. RECEIVED Chief Executive Officer's Report.

- L.A. County Board of Supervisors annual trip to Washington, D.C. coming up. Hopeful they will be able to help with the transportation bill in the Senate.
- Greater L.A. Vendor Fair held yesterday had over 1500 attendees and 350 exhibitors. MTA is a major player in the fair and was one of the original sponsors.
- Announced Hallmark Hall of Fame presentation of "Riding the Bus with my Sister" will be broadcast this Sunday evening. The film is supported by the American Public Transit Association.

7. APPROVED:

- A. **implementing Metro Rapid service on Fairfax Avenue** in June 2005 by operating it as a separate line between Hollywood and Vine and West Los Angeles Transit Center (Line 717); and

- B. **rescheduling of the North Sepulveda Metro Rapid** from June 2005 to June 2006 at the latest, with a goal of implementing the service as early as December 2005 if additional resources are identified.

8. APPROVED ON CONSENT CALENDAR:

- A. the local scores for the **Federal Transit Administration Section 5310 projects**; and
- B. authorized the Chief Executive Officer to:
 - 1. Include the applications recommended for funding in the FY 2006 Regional Transportation Improvement Program; and
 - 2. Execute the Resolution provided and transmit the Resolution and scoring recommendations to Caltrans.

10. APPROVED ON CONSENT CALENDAR authorizing the Chief Executive Officer to:

- A. award a three-year firm fixed price non-competitive Contract No. PS-4360-1580 to PB Farradyne for the **Countywide Metro Rapid Signal Priority Expansion Project** in the amount of \$6,700,000; and
- B. execute planned contract options for procurement of hardware, software, equipment and services for an amount not to exceed \$800,000 for a total contract value of \$7,500,000.

11. APPROVED:

- A. full funding plan and programming for the **Exposition Light Rail Transit Project from Downtown Los Angeles to Robertson Boulevard** in Culver City, not to exceed \$640 million; and
- B. ~~conditioning such approval on receiving~~ **seeking** \$15 million in federal earmarks and \$50 million in local contributions from Cities and/or private parties as part of the full funding plan for the project.

12. APPROVED MOLINA SUBSTITUTE MOTION to move forward with staff recommendation to authorize the CEO to enter into a six-month **Exclusive Negotiation Agreement (ENA) with Taylor Yards, LLC** for the development of approximately 17 acres of Los Angeles County Metropolitan Transportation Authority owned properties located adjacent to the Metrolink maintenance of way facility along San Fernando Road and the Los Angeles River.

~~ANTONOVICH MOTION:~~

~~Whereas, an Exclusive Negotiation agreement (ENA) is now being considered for development of the Taylor Yards site; and~~

~~Whereas, this ENA is in response to an unsolicited proposal that was made for the development of the Taylor Yards site; and~~

~~Whereas, a Request for Proposals (RFP) may yield better alternatives for development of this parcel in terms of cost, density, value, future ridership, and other performance measurements; and~~

~~Whereas, it is the intent of the Metro Board of Directors to maximize the value and utility of developments through requesting RFP's as opposed to unsolicited proposals;~~

~~I Therefore move that the Board direct staff to solicit bids for the development of this site through an RFP, and make every effort to report back to the Board on competing alternatives that are acceptable to the Board as close as possible to the July 2005 Board meeting.~~

~~(CARRIED OVER FROM MARCH BOARD MEETING)~~

13. APPROVED ON CONSENT CALENDAR YAROSLAVSKY AND BURKE MOTION that MTA staff **revise the Joint Development Policy to require an RFP, RFQ/RFP or competitive bidding process for all joint development projects except in very exceptional circumstances** (such as small parcels or those with access problems) and to submit such a revised Joint Development Policy to the Board for consideration at its May meeting.
14. APPROVED ON CONSENT CALENDAR LABONGE MOTION that the **Board direct staff to examine the feasibility of creating shuttle service between existing Metrolink stations and Griffith Park**, as well as to contact the Cities of Glendale and Burbank, as well as Caltrans, to inquire about their interest in developing an additional train station in the area of San Fernando Road near the 134 Freeway to serve such a shuttle service.

18. APPROVED ON CONSENT CALENDAR adopting the **proposed FY06 Annual Audit Plan.**

19. APPROVED ON CONSENT CALENDAR adopting the following **positions on State Legislation:**
 - A. **OPPOSE** AB 426 (Bogh) – Would require the conversion of all HOV lanes to mixed flow lanes during off-peak periods.
 - B. **SUPPORT - WORK WITH AUTHOR** AB 509 (Richman) – Would authorize regional transportation agencies to enter ~~into~~ agreements to develop user financed transportation projects.
 - C. **SUPPORT** AB 1169 (Torrico) – Would expand the violations against transit operators for which increased penalties may be assessed.
 - D. **SUPPORT - WORK WITH AUTHOR** AB 1276 (Oropeza) – Would require the creation of a task force to study congestion along the state’s intermodal corridors.
 - E. **SUPPORT** SB 275 – (Torlakson) – Would require Caltrans and the California Transportation Commission to conduct a 10 year transportation needs assessment.
 - F. **SUPPORT** SB 523 – (Torlakson) – Would require that \$7.2 million be annually allocated to the Bicycle Transportation Account.

20. APPROVED ON CONSENT CALENDAR adopting the following **positions on State Legislation:**
 - A. **WORK WITH AUTHOR** Building Opportunity (Assembly Speaker Fabian Nunez) – Transportation Financing.
 - B. **SUPPORT and NEUTRAL– WORK WITH AUTHORS** Go California (Various Authors) – Transportation Financing and Delivery.

21. APPROVED ON CONSENT CALENDAR adopting the following **positions on Federal Legislation:**

- A. **SUPPORT – WORK WITH AUTHOR H.R. 3 (Young)** – Would authorize funds for Federal aid to highways, highway safety programs, transit programs, and for other purposes.
- B. **WORK WITH AUTHOR S. – Not Yet Numbered (Inhofe)** – Would authorize funds for Federal aid to highways, highway safety programs and for other purposes.
- C. **SUPPORT – WORK WITH AUTHOR S. – Not Yet Numbered (Shelby)** – Would authorize funds for Federal aid for bus and rail programs and for other purposes.
- D. **SUPPORT S. 553 (Feinstein)** – Would amend title 23, United States Code, to provide for HOV-lane exemptions for low-emission and hybrid vehicles.

24. **CLOSED SESSION:**

A. Conference with Legal Counsel – Existing Litigation – G.C. 54956.9(a):

1. Boggio v. MTA LC068484

NO REPORT.

2. Romero v. MTA BC317495

AUTHORIZED settlement in the amount of \$500,000.

3. Labor Community Strategy Center v. MTA CV 94-5936

NO REPORT.

4. MTA v. Argonaut Insurance BC 156601

NO REPORT.

5. USA v. MTA 04-07699JFW

AUTHORIZED MTA to reimburse UTU for reasonable attorney fees.

B. Conference with Legal Counsel - Anticipated Litigation – G.C. 54956.9(b):

Significant exposure to litigation (one case)

NO REPORT.

C. Personnel Matters – G.C. 54957:

Public Employee Performance Evaluation – Chief Executive Officer

NO REPORT.

D. Conference with Labor Negotiator – G.C. 54957.6

Agency Negotiators: Roger Snoble and Brenda Diederichs
Employee Organizations: ATU, TCU, UTU

NO REPORT.

27. **APPROVED AS AMENDED BY YAROSLAVSKY a change of the internal funding source used to pay the debt service on the outstanding Grand Central Square bonds from Prop A 40% (discretionary) to Prop A 35% (rail).**

AMENDMENT that the MTA Board reconfirm the existing policy to fund debt service payments for the Grand Central Square bonds out of Proposition A 40% (discretionary) funds and acknowledge that debt service repayment for this project is also eligible out of Proposition A 35% (rail) funds. Staff may determine the best funding source for repayment on an annual basis.

28. **APPROVED ON CONSENT CALENDAR appointing Citigroup Global Markets and UBS Financial Services as co-senior managing underwriters with Citigroup Global Markets as:**

- A. senior managing underwriter along with Goldman Sachs & Co. as co-managing underwriter to issue and remarket one or more series of auction rate securities; and
- B. senior managing underwriter and bookrunner, with UBS Financial Services as co-senior managing underwriter, with E.J. De La Rosa & Co. and Loop Capital Markets to serve as co-managing underwriters for the sale of one or more fixed rate bond series.

31. APPROVED UNDER CONSTRUCTION COMMITTEE AUTHORITY authorizing the Chief Executive Officer to award and execute a firm fixed price Contract C0768 with the lowest responsive and responsible bidder for the **supply of bicycle lockers and racks** in the amount of \$234,628.
32. APPROVED ON CONSENT CALENDAR authorizing the Chief Executive Officer to execute an **Amended and Restated Utility Cooperative Agreement between California Water Service Company** and the Los Angeles County Metropolitan Transportation Authority to define the responsibilities of each party for design and construction of the California Water Service Company and/or LACMTA facilities.
33. AUTHORIZED the Chief Executive Officer to execute an **Amended and Restated Utility Cooperative Agreement between SBC California** and the Los Angeles County Metropolitan Transportation Authority to define the responsibilities of each party for design and construction of SBC California and/or LACMTA facilities.
34. AUTHORIZED the Chief Executive Officer to execute **Amendment #2 to the 1984 Utility Cooperative Agreement between The Gas Company** and the Los Angeles County Metropolitan Transportation Authority to define the responsibilities of each party for design and construction of The Gas Company and/or LACMTA facilities.
35. AUTHORIZED the Chief Executive Officer to execute **Amendment #2 to the 1984 Utility Cooperative Agreement between MCI Worldcom** and the Los Angeles County Metropolitan Transportation Authority to define the responsibilities of each party for design and construction of MCI Worldcom and/or LACMTA facilities.
36. APPROVED ON CONSENT CALENDAR LABONGE MOTION that the Board direct staff to provide a detailed **report to the Construction Committee on the status of the North Hollywood train station restoration project**. This report should include the current involvement of the City of Los Angeles Community Redevelopment Agency efforts; the existing funding status; anticipated timelines and completion date; and a review of the issues that have led to delays with the project.

43. AUTHORIZED the Chief Executive Officer to:
- A. award a five-year fixed-unit rate **Contract No. OP31501624, to Transportation Concepts, Inc. for contracted bus services** in the amount of \$36,315,168, provide for reimbursement of fuel costs for the five-year period for an amount not to exceed \$6,939,020 for a total contract amount not to exceed \$43,254,188, effective July 3, 2005; and
 - B. establish a contingency for unanticipated fuel costs or the potential need for additional Revenue Service Hours for an amount not to exceed \$3,631,516.
44. AUTHORIZED the Chief Executive Officer to:
- A. award a five-year fixed-unit rate **Contract No. OP31501623, to Southland Transit, Inc. for contracted bus services** for an amount not to exceed \$29,552,418 and provide for reimbursement of fuel costs for the five-year period for an amount not to exceed \$3,623,357 for a total contract amount not to exceed \$33,175,775, effective July 3, 2005; and
 - B. establish a contingency for unanticipated fuel costs or the potential need for additional Revenue Service Hours for an amount not to exceed \$2,955,241.
45. FAILED and CARRIED OVER TO MAY BOARD MEETING authorizing the Chief Executive Officer to:
- A. award a five-year fixed-unit rate **Contract No. OP31501625, to First Transit, Inc. for contracted bus services** for a firm fixed amount of \$66,547,817 and provide for reimbursement of fuel costs for the five-year period for an amount not to exceed \$10,381,844 for a total contract amount not to exceed \$76,929,661, effective July 3, 2005; and
 - B. establish a contingency for unanticipated fuel costs or the potential need for additional Revenue Service Hours for an amount not to exceed \$6,654,781.

46. APPROVED ON CONSENT CALENDAR authorizing the Chief Executive Officer to execute:
- A. a five-year firm, fixed-unit rate, multiple award Contract No. OP3344-1643, with Travers Tree Service, Inc. and International Environmental Corporation for **the provision of as-needed tree trimming services for Metro transit facilities** inclusive of two one-year options, effective May 1, 2005, for a cumulative total amount not to exceed \$640,000; and
 - B. Task Orders under these agreements for tree trimming services.
47. APPROVED ON CONSENT CALENDAR authorizing the Chief Executive Officer to award a 24-month, firm fixed price contract under Bid Number 05-0004 to Asbury Environmental Services, the lowest responsive, responsible bidder for **Recycled Pre-diluted Engine Coolant and Coolant Waste Recycling Services** for an amount not to exceed \$1,008,700, inclusive of sales tax and one-year option effective May 1, 2005.
48. APPROVED ON CONSENT CALENDAR LABONGE MOTION that the Board direct staff to **report on the draft implementation plan for the Metro Connections effort**, particularly as it relates to existing rail service and stations, the Metro Orange Line busway and Metro Rapid bus service, as well as connections to community centers and neighborhoods in the region.
49. APPROVED ON CONSENT CALENDAR LABONGE MOTION that the Board direct staff to **report on the status of any efforts to examine improvements to the Harbor Freeway Transit Project** that would connect it to the surrounding transit network.
50. APPROVED LABONGE MOTION that the Board direct staff to contact the Southern California Regional Rail Authority (SCRRA) and discuss the **feasibility of operating hourly Metrolink train service on weekdays between the hours of 6:30 a.m. and 6:30 p.m. to and from Union Station and Bob Hope (formerly Burbank) Airport** and report back to the Operations Committee.

51. APPROVED:

- A. increasing the **Maintenance and Materiel Management System (M3) Life-of-Project budget** by \$3.9 million from \$28.8 million to \$32.7 million, primarily due to a contract modification resulting from schedule delays to accommodate Kiosk implementation, a change in the bus division roll-out plan, the 2003 work stoppage and additional Metro labor resulting from the schedule extension;
- B. amending the FY05 budget to transfer \$1.2 million of revenues and expenditures from the Enterprise Fund operating budget to the capital budget and to add \$2.4 million of Prop A 35% Rail Funds; and
- C. authorizing the Chief Executive Officer to execute contract modification number 7 to Contract No. PS-9240-1264 with Spear Technologies for a firm fixed price of \$2,648,651, less the amount funded by Board delegated authority of \$1,050,366, and authorizing an additional delegated authority of \$100,000, increasing the total contract value from \$20,876,212 to \$22,574,497.

(CARRIED OVER FROM MARCH BOARD MEETING)

52. **AUTHORIZED the Chief Executive Officer to proceed with the following actions to support the Mid-City/Exposition Transit Corridor project schedule:**

- A. amend the FY05 budget to add \$500,000 to the Exposition project for a total Life of Project budget through FY05 Preliminary Engineering of \$18.3 million;
- B. negotiate and execute a Change Order 4 to Contract Work Order (CWO) 7 to Contract PM022, Project Management Assistance (PMA) with URS Corporation for an amount not to exceed \$440,000, increasing the total CWO funding value from \$235,000 to \$675,000. In addition, authorize the exercise of a second, one-year option thereby extending the period-of-performance from May 31, 2005 to May 31, 2006 in order to complete the work; and
- C. approve \$43.75 million for FY06 activities to support the Exposition project schedule, which will increase authorized expenditure authority through FY06 to a total not to exceed \$62.35 million.

(CARRIED OVER FROM MARCH BOARD MEETING)

53. HELD a public hearing on the proposed Resolution of Necessity; and

ADOPTED BY A 2/3 VOTE OF THE BOARD the Resolution of Necessity authorizing the commencement of an **eminent domain action to acquire a temporary construction easement and a subsurface easement (“Property Interests”)** to Parcels ES-631, ES-632 and ES-633 for the Metro Gold Line Eastside Extension project.

54. ADOPTED the following **positions on State Legislation:**

- A. AB 1714 (Assembly Member Plescia). Would ~~modify the~~ cost estimates to complete the Toll Bridge Seismic Safety Repair and Retrofit Program and identifies funding for the revised estimates. **WORK WITH AUTHOR**
- B. SB 172 (Senator Torlakson). Would grant budgetary control of all toll revenues to the Bay Area Toll Authority (BATA) and requires Caltrans and BATA to establish various oversight procedures for toll revenues. **WORK WITH AUTHOR**
- C. SB 1024 (Senators Perata and Torlakson). Would authorize the sale of \$7.688 billion in general obligation bonds for capital improvement projects throughout the state, including funding for the Toll Bridge Seismic Safety Repair and Retrofit Program. **WORK WITH AUTHOR**

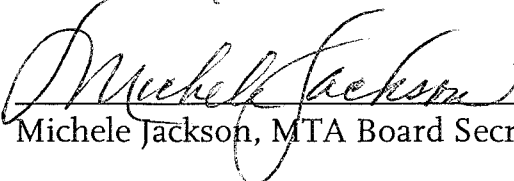
55. ADOPTED the following **position on State Legislation:**

SUPPORT WORK WITH AUTHOR on SB 760 (Senator Lowenthal) - would impose a container fee of \$30 on each shipping container (twenty-foot equivalent) processed through the ports of Long Beach and Los Angeles.

RECEIVED public comment.

ADJOURNED in memory of Deane Dana, former L.A. County Supervisor.

Prepared by: Michele Chau
Recording Secretary


Michele Jackson, MTA Board Secretary

RECAP OF PROCEEDINGS
LOS ANGELES COUNTY, METROPOLITAN TRANSPORTATION AUTHORITY
REGULAR BOARD MEETING
THURSDAY, APRIL 28, 2005

DIRECTORS VOTING

ATTENDANCE	DIRECTORS VOTING												
	O'CONNOR	LUDLOW	FASANA	MOLINA	BURKE	HAHN	ROBERTS	ANTONOVICH	VAROSILAVSKY	KNABE	REYES	LABONGE	FAILING
ITEM NO.	<u>SUBJECT ITEM</u>												
1	Y	Y	Y	Y	Y	A	Y	Y	Y	Y	Y	Y	
	<u>ACTION TAKEN</u>												
	Y	Y	Y	Y	Y								
	APPROVED												
	NOTE COMMITTEE AUTHORITY ITEM 31												
	NOTED COMMITTEE AUTHORITY												
2													
	APPROVE MINUTES OF REGULAR BOARD MEETING HELD MARCH 24, 2005.												
	APPROVED ON CONSENT CALENDAR												
3	P	P	P	P	P	A	P	P	P	P	P	P	
	CHAIR'S REPORT												
	ANNOUNCED ADJOURNMENT IN MEMORY OF FORMER L.A. COUNTY SUPERVISOR DEANE DANA												
4	P	P	P	P	P	A	P	P	P	P	P	P	
	CHIEF EXECUTIVE OFFICER'S REPORT												
	RECEIVED												

LEGEND: Y-YES, N-NO, C-CONFLICT, AB-ABSTAIN, A-ABSENT, P-PRESENT

RECAP OF PROCEEDINGS

LOS ANGELES COUNTY, METROPOLITAN TRANSPORTATION AUTHORITY

REGULAR BOARD MEETING

THURSDAY, APRIL 28, 2005

DIRECTORS VOTING

	ATTENDANCE	ACTION TAKEN	P	P	P	P	P	P	P	P	P	P			
ITEM NO.	SUBJECT ITEM	ACTION TAKEN	O'CONNOR	LUDLOW	FASANA	MOLINA	BURKE	HAHN	ROBERTS	ANTONOVICH	YAROSLAVSKY	KNABE	REYES	LABONGE	FAILING
7	<p>APPROVE:</p> <p>A. IMPLEMENTING METRO RAPID SERVICE ON FAIRFAX AVENUE IN JUNE 2005 BY OPERATING IT AS A SEPARATE LINE BETWEEN HOLLYWOOD AND VINE AND WEST LOS ANGELES TRANSIT CENTER (LINE 717); AND</p> <p>B. RESCHEDULING OF THE NORTH SEPULVEDA METRO RAPID FROM JUNE 2005 TO JUNE 2006 AT THE LATEST, WITH A GOAL OF IMPLEMENTING THE SERVICE AS EARLY AS DECEMBER 2005 IF ADDITIONAL RESOURCES ARE IDENTIFIED.</p>	APPROVED	Y	Y	Y	Y	Y	A	Y	Y	Y	Y	Y	Y	Y

LEGEND: Y-YES, N-NO, C-CONFLICT, AB-ABSTAIN, A-ABSENT, P-PRESENT

RECAP OF PROCEEDINGS
LOS ANGELES COUNTY, METROPOLITAN TRANSPORTATION AUTHORITY
REGULAR BOARD MEETING
THURSDAY, APRIL 28, 2005

DIRECTORS VOTING

ATTENDANCE		DIRECTORS VOTING												
ITEM NO.	SUBJECT ITEM	O'CONNOR	LUDLOW	FASANA	MOLINA	BURKE	HAHN	ROBERTS	ANTONOVICH	YAROSLAVSKY	KNABE	REYES	LABONGE	FAILING
	<u>ACTION TAKEN</u>													
8	CONSIDER: A. APPROVING THE LOCAL SCORES FOR THE FEDERAL TRANSIT ADMINISTRATION SECTION 5310 PROJECTS; AND B. AUTHORIZING THE CHIEF EXECUTIVE OFFICER TO: 1. INCLUDE THE APPLICATIONS RECOMMENDED FOR FUNDING IN THE FY 2006 REGIONAL TRANSPORTATION IMPROVEMENT PROGRAM; AND 2. EXECUTE THE RESOLUTION PROVIDED AND TRANSMIT THE RESOLUTION AND SCORING RECOMMENDATIONS TO CALTRANS.													
	<u>APPROVED ON CONSENT CALENDAR</u>													

LEGEND: Y-YES, N-NO, C-CONFLICT, AB-ABSTAIN, A-ABSENT, P-PRESENT

